

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ANTONIO SALGADO,

Plaintiff,

v.

Case No. 16-cv-268-JPG-SCW

DR. SIDDIQUI,

Defendant.

MEMORANDUM AND ORDER

This matter comes before the Court on plaintiff Antonio Salgado's signed motion to alter or amend the judgment (Doc. 30), which supersedes his earlier unsigned motion (Doc. 28). The Court dismissed this action on May 31, 2017, because Salgado failed to keep the Court apprized of his current address and failed to participate in this litigation since filing his Amended Complaint. The Court dismissed the case without prejudice, rather than with prejudice, in light of the fact that Salgado, who is proceeding *pro se*, had only failed to inform the Court of his address for one change of address. The Court directed that a copy of the order and judgment of dismiss be sent to Salgado at the address where the Illinois Department of Corrections website indicated he was housed: Lawrence Correctional Center.

On July 10, 2017, Salgado filed an unsigned motion asking the Court to reopen this case (Doc. 28). His subsequent motion cured the lack of a signature (Doc. 30). Salgado claims he is illiterate and was not told by his litigation helper that he must supply the Court with his current address. The Court finds this is a good reason to allow Salgado one more chance to litigate this case on the merits.

Accordingly, the Court:

- **GRANTS** the second motion to alter or amend the judgment (Doc. 30);

- **DENIES as moot** the first, unsigned motion to alter or amend the judgment (Doc. 28);
- **DIRECTS** the Clerk of Court to **REINSTATE** this case;
- **VACATES** the Court's May 31, 2017, judgment (Doc. 27) and the part of the May 31, 2017, order granting the defendant's motion to dismiss for failure to prosecute (Doc. 26);
- **REFERS** this action to Magistrate Judge Stephen C. Williams for further pre-trial proceedings pursuant to Local Rule 72.1(a)(2);
- **REFERS** this action to Magistrate Judge Williams for disposition, pursuant to Local Rule 72.2(b)(2) and 28 U.S.C. § 636(c), *if all parties consent to such a referral*; and
- **WARN**s Salgado that if he fails to keep the Court apprized of his current address at any time during the course of this litigation, the Court may dismiss this case with prejudice for failure to prosecute without any further warning.

IT IS SO ORDERED.

DATED: August 24, 2017

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE